

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

In re: Kimberly J. Copher (nka Kimberly Wellington)

Case No:15-30738
(Chapter 13)
Judge Guy R. Humphrey

MOTION FOR SALE OF REAL ESTATE

Now comes the above named Debtor and moves for an order for the sale of the Debtor's real estate as hereinafter set forth and on the terms and conditions herein proposed. The Debtor's plan has been confirmed. The sale proceeds will pay off Debtor's plan.

Location: (Address)925 West Perrin Avenue Residence: x Yes No
Springfield, Ohio 45506 Sale Price: \$68,500.00
(parcel numbers 3400600003201002 & 34600003201003)

Appraisal in petition: \$69,000 Trustee's appraisal: \$69,000

First mortgagee: NONE Approx. Payoff: \$zero

Second mortgagee: none Approx. Payoff: \$

Other liens: none Approx. Payoff: \$

Real estate tax: \$4033.04

Approx. closing costs: \$2,500.00

Realtor(s): Roost Real Estate c/o Tina Bleything Realtor's commission: \$4110.00 (6%)
(not to exceed 7%)

Debtor(s)' attorney fee: \$500.00

Debtor(s)' relocation: \$44,356.96

Other deductions: (explanation attached) \$ none

TOTAL APPROX DEDUCTIONS: \$11,143.04
(Not considering relocation and plan payoff)

APPROX AVAILABLE FOR PLAN: \$13000

Sale was provided for by Plan: ____ yes __x__ no

If “no”, the plan ____ has __x__ has not been modified and the time for objections to the modification __x__ has ____ has not expired.

The closing agent shall coordinate with the Chapter 13 Trustee or the Trustee’s office staff as well as the Debtor(s)’ attorney to make arrangements for the closing and obtain the Trustee’s approval to proceed with the closing. If either the Trustee or the Debtor(s)’ attorney or the Trustee’s office staff do not attend the closing, the closing agent shall cause to be delivered to Debtor(s)’ attorney within three working days after the closing the net proceeds of the closing and a copy of the signed closing statement. Any of these disbursements shall be considered as made by the Trustee for the purposes of the Trustee collecting the percentage of the fee fixed pursuant to 11 U.S.C. § 1326(b)(2) and this order.

The Debtor shall receive her relocation sale proceeds at closing.

The named closing agent shall obtain the Trustee’s approval prior to proceeding with any closing and the Debtor(s) shall not proceed with the closing until Trustee approval has been obtained.

Respectfully submitted,

/s/ Anthony B. Pennington
Anthony B. Pennington
PO Box 2519
Springfield, Ohio 45501
Telephone No. 937-561-5320
Email Address: tonyohio1107@gmail.com
State Bar No. 0007640

NOTICE OF MOTION FOR SALE OF REAL ESTATE

Debtor has filed a Motion for Sale of Real Estate.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the court to grant the relief sought in the motion, then on or before **twenty –one (21) days from the date set forth in the certificate of service for the objection**, you must file with the court a response explaining your position by mailing your response by regular U.S. Mail to Clerk, U.S. Bankruptcy Court, Southern District of Ohio, 120 W. Third St., Dayton, Ohio 45402 OR your attorney must file a response using the court’s ECF System.

The court must receive your response on or before the above date.

You must also send a copy of your response either by 1) the court's ECF system or by 2) regular U.S. Mail to: (Debtor name and address): Kimberly J. Copher (nka Kimberly Wellington), 925 West Perrin Avenue, Springfield, Ohio 45506 AND TO:

Anthony B. Pennington, PO Box 2519, Springfield, Ohio 45501 AND TO

Jeffrey M. Kellner, Chapter 13 Trustee, 131 N. Ludlow St., Dayton, Ohio 45402 AND TO

Office of the U.S. Trustee, 170 North High St., Suite 200, Columbus, Oh 43215

If you or your attorney do not takes these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief without further hearing or notice.

(CASE NUMBER 15-30738)

CERTIFICATE OF SERVICE

I hereby certify that on September 20, 2018 , a copy of the attached was served on the following ECF participants electronically through the court's ECF System at the email address registered with the court.

Jeffrey M. Kellner, Chapter 13 Trustee, 131 N. Ludlow Street, Suite 900, Dayton, Ohio 45402;
and

Office of the U.S. Trustee, 170 North High Street, Suite 200, Columbus, Ohio 43215.

and

Anthony B. Pennington
PO Box 2519
Springfield, Ohio 45501

And on the following by ordinary U.S. Mail, on September 20, 2018: Kimberly J. Copher (nka Kimberly Wellington), 925 West Perrin Avenue, Springfield, Ohio 45506

and all of Debtor's creditors as named and at the addresses specified in the attached document entitled **Creditors of Kimberly J. Copher (15-30738) Sent Notice of Motion for Sale of Real Estate:**

/s/ Anthony B. Pennington
Anthony B. Pennington
PO Box 2519
Springfield, Ohio 45501
Telephone No. 937-561-5320
Email Address: tonyohio1107@gmail.com
State Bar No. 0007640

**UNITED STATES BANKRUPTCY COURT
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Judge Guy R. Humphrey

NOTICE OF MOTION AND OPPORTUNITY TO OBJECTION

Debtor has filed a Motion for Sale of Real Estate with the Court. Your rights may be affected. You should read these papers carefully and discuss with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one. If you do not want the Court to enter an order approving the Sale of Real Estate Free and Clear of Liens, then on or before twenty-one (21) days from the date listed on the Certificate of Service below, you or your attorney must file with the Court a written response explaining your position and/or a written request for a hearing. The Court must receive your response on or before the date above. You must also send a copy of your response on or before the date above. You must also send a copy of your response by the Court's ECF system upon:

Anthony B. Pennington, PO Box 2519, Springfield, Ohio 45501 AND TO

Jeffrey M. Kellner, Chapter 13 Trustee, 131 N. Ludlow St., Dayton, Ohio 45402

And on the following by ordinary U.S. mail addressed to:
Debtor Kimberly J. Copher (nka Kimberly Wellington), 925 West Perrin Avenue, Springfield, Ohio 45506

IF YOU OR YOUR ATTORNEY DO NOT TAKE THESE STEPS, THE COURT MAY DECIDE THAT YOU DO NOT OPPOSE THE RELIEF SOUGHT IN THE MOTION AND MAY ENTER AN ORDER GRANTING THAT RELIEF WITHOUT FURTHER HEARING OR NOTICE.

I certify on September 20, 2018 that a copy of the foregoing was sent through the court ECF system to Jeffrey M. Kellner, Chapter 13 Trustee, 131 N. Ludlow St., Dayton, Ohio 45402 and Office of the U.S. Trustee, 170 North High Street, Suite 200, Columbus, Ohio 43215 and also was sent by US Mail to the parties listed in the certification of the Motion for Sale of Real Estate who are Debtor's creditors as named and at the addresses specified in the attached document entitled **Creditors of Kimberly J. Copher (15-30738) Sent Notice of Motion for Sale of Real Estate:**

/s/ Anthony B. Pennington
Anthony B. Pennington
Attorney for Debtor